

Notice of Allowability

Application No.

09/989,719

Examiner

Brian P. Egan

Applicant(s)

BEST, WALTER

Art Unit

1772

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to AF Amnd filed 6/25/04.
2. ☒ The allowed claim(s) is/are 1-22 and 24.
3. ☒ The drawings filed on 05 April 2002 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

NOTICE OF ALLOWANCE

Examiner's Amendment

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. William Schrot on June 25, 2004.

The application has been amended as follows:

IN THE SPECIFICATION:

- Page 2, line 1, insert the title -- **TEXTILE WEB, ESPECIALLY A TEXTILE-COVERED WEB FOR A PAPER-MAKING MACHINE** -- above the paragraph beginning "The invention relates to a textile web".
- Page 2, line 1, insert the title -- **BACKGROUND OF THE INVENTION** -- above the paragraph beginning "The invention relates to a textile web" and below the newly inserted title "TEXTILE WEB, ESPECIALLY A TEXTILE-COVERED WEB FOR A PAPER-MAKING MACHINE".
- Page 3, line 13, insert the title -- **SUMMARY OF INVENTION** -- above the paragraph beginning "The object of the present invention".
- Page 6, line 19, insert the title -- **BRIEF DESCRIPTION OF THE DRAWINGS** -- above the paragraph beginning "In the diagrams, the invention is".

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- Page 7, line 17, insert the title -- **DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENT** -- above the paragraph beginning "The device 1 illustrated".

IN THE CLAIMS:

CLAIM 24:

- Line 1, delete the number "23" after "with claim".
- Line 1, insert the number -- 1 -- after the phrase "with claim".

Reasons for Allowance

2. The following is an examiner's statement of reasons for allowance: the invention as claimed, namely a papermakers fabric with several web sections that extend parallel to one another in a lengthwise direction that are aligned adjacent to one another with their lateral edges being attached to one another via fasteners selected from the group consisting of a sewn seam and adhesive tape, characterized in that the adjacent lateral edges have alternating projections and recesses extending in a transverse direction to the textile web about 50cm or less, and the web sections being interlocked with one another via these projections and recesses and the fasteners connecting the projections to one another, is neither anticipated nor fairly suggested by the prior art of record.

Although the prior art of record demonstrates that it is known to provide a textile web with several web sections that extend parallel to one another, the prior art of record fails to teach web sections that are aligned adjacent to one another and attached to one another via the combination of a puzzle cut seam and a sewn seam or adhesive tape

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wherein the projections on the web sections extend at a distance of 50cm or less. The closest prior art of record with regards to the puzzle cut feature are the teachings of Schleuter, Jr. et al. and Thornton et al. With regards to Schleuter, Jr. et al., the reference teaches that the seam formed according to the invention is one of enhanced strength, flexibility, and mechanical life which is held together solely by the geometric relationship between the ends of the belt material, which are fastened together by a puzzle cut (Col. 4, lines 1-5).” Therefore, Schleuter, Jr. et al. teach away from a combination of a puzzle cut seam and an adhesive or sewn seam fastener. Schleuter, Jr. et al. also fail to teach the distance at which the puzzle cut seam projects from the web section. With regards to Thornton et al., the reference teaches the use of a puzzle cut seam in combination with adhesive, but the adhesive is exposed between the seams such that the adhesive can be melted and pressed into the seam so that it can be flattened and mechanically uniform with the belt (Col. 5, lines 40-62). Thus, Thornton et al. only teach an adhesive and not an adhesive tape and in fact teach away from the use of an adhesive tape since a tape backing would not be able to be pressed and flattened into the seam. Furthermore, Thornton et al. fail to suggest a puzzle cut seam that extends at a distance of 50cm or less in a transverse direction to the web. Furthermore, Thornton et al.’s puzzle cut seam may very well be impossible to duplicate in a textile material since it is extremely intricate and based on the use of a polymeric substrate rather than a textile web.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian P. Egan whose telephone number is 571-272-1491. The examiner can normally be reached on M-F, 8:30-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Harold Y. Pyon can be reached on 571-272-1498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


BPE 6/25/04


HAROLD PYON
SUPERVISORY PATENT EXAMINER
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